

## MURDER IN THE DISTRICT OF BAKARGANJ IN THE LATE NINETEENTH CENTURY

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The criminal annals of Bakerganj are very interesting and would repay a detailed account. They include stories of professional murderers, of long vendettas in which the threatened man slept for years in an iron cage and never left his house, of snakes trained to poison men in their sleep. They contain also of many tales of old men and women slain by their own sons or kinsfolk, sometimes with their own consent, in order to accuse the enemy of a deed for which he may be hanged, while one thana (Rajapur) has a sinister reputation for this form of crime with cases of fathers killing their own little children in their blind desire to ruin their enemies

J. C. Jack, *Bakerganj*

The district of Bakerganj had long been associated with serious violent crimes from the early days of British rule in Bengal. Not only successive magistrates, judges and police officers had repeatedly asserted the view but even the people of the neighbouring districts considered them "as a species of demon". As far back as 1766, Warren Hastings had found the "zaminder of Bakergunge" guilty of connivance in a brutal murder and robbery and had written to the Nawab to take a severe example of such kinds of zamindars.<sup>2</sup> In 1802, the then Judge and Magistrate of Bakerganj, J. Wintle described the people of the district to be of the lowest class. He wrote :

"The general moral character of the inhabitants of this district (if I may be allowed to use the expression) is at the lowest pitch of infamy; and very few exceptions indeed, to this character are to be found. There is no species of fraud or villainy the higher classes will not be guilty of, and to these crimes in the lower classes may be added murder, robbery, theft, wounding, and c; on the slightest occasion. In fact it is hardly going too far in asserting that the whole of the inhabitants of this district are dacoits...I apprehend that no precept or example will ever induce them to be in love with virtue or honesty ... Strict justice and rigorous law can alone keep them in order".<sup>3</sup>

Even Henry Beveridge, who was fond of the people of Bakerganj admitted that they were a "byword for turbulence".<sup>4</sup> In 1868, the lawlessness of the

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district became the subject of special enquiry by the then Deputy Inspector-General of Police, J. H. Reilly and the Commissioner of Dacca Division, F. Simon apparently recommended to the government in August of the same year to disarm the district.<sup>5</sup> Shortly afterwards, Mr. Sutherland the then District Magistrate, confiscated 1,500 or 2,000 guns which were later on destroyed under Mr. Beveridge's order and thrown into the river.<sup>6</sup> It is thus abundantly clear that the district had a long history of criminality of the worst type at its back. The record in this regard was still further darkened in the last decade of the nineteenth century by phenomenal rise of violent crimes against persons, namely murder.

In this paper an attempt will be made to bring to light the various aspects of murder as it manifested itself in the late nineteenth century. In Part I, the incidence and volume of murder together with its various features will be examined. We will seek, in Part II, to locate the probable causes behind the rise of such a murder wave. Remedial measures adopted to check the epidemic of murder with their consequent results and reaction will be the subject matter of discussion in Part III.

## I

Though surprising it may sound, the general lawlessness of the district which was despicable was temporarily contained in the 1880's with the passing of the Arms Act, 1878, and the enforcement of stringent anti-riot measures by the local administration (details in Section II).<sup>7</sup> From about the year 1889, the figures of murder, however, quite unexpectedly started to rise again and remained at a dangerously high level for the rest of the (See Table 1), century. The gravity of Bakarganj situation will be more evident if we look at the incidence of murder to population in this district and compare the same with the provincial figures. It will be seen that Bakarganj representing a population of 5.46 per cent of the province in 1891 was responsible for a much higher proportion of murders throughout the 1890's.<sup>8</sup> It was most marked during the years from 1891 to 1896, reaching a peak of nearly 20 per cent of all murders of British Bengal in the year 1895. The phenomenon, observed the provincial government, presented "no parallel in Bengal", while the District Magistrate of Bakarganj equated the situation with that of certain parts of Ireland in 1880-81.<sup>10</sup>

Comparing the figures of Bakarganj with some other parts of India, E. R. Henry, the Inspector-General of Police pointed out that the district in 1895



Table 1 : True murder cases in the district of Bakarganj and in Bengal 1883-1903

Year	No. of murder in Bengal	No. of murder in Bakarganj	Percentage of col. 3 to col. 2
1	2	3	4
1883 to			
1886	274	15.75 ( av. )	5.75
1887	250	13	5.20
1888	268	11	4.10
1889	316	27	8.54
1890	319	26	8.15
1891	360	51	14.17
1892	351	42	11.97
1893	356	58	16.29
1894	362	63	17.40
1895	389	76	19.54
1896	421	57	13.54
1897	422	30	7.11
1898	388	45	11.60
1899	381	36	9.44
1900	415	29	6.99
1901	388	21	5.41
1902	398	23	5.78
1903	387	31	8.01

Source : Annual figures of true murder cases for the years 1883 to 1886 from the *Report on the Administration of the Police in Bengal* [henceforth *APR*], 1894, p. 62 and *Ibid*, 1897, p. 31; figures for the years 1887 to 1894 from GOB : PJD (Police) Notes and Orders to Nos. 39-49, April 1896, p. 10; figures for the years 1895 to 1903 from *Ibid*, Notes and Orders to Nos. 45-48, August 1904 and Notes and Orders to No. 20, July 1904.

had in fact committed more murders than any district in India including that of Peshawar where 70 was the largest number of murders till then registered.<sup>11</sup> In 1893, with the exception of Peshawar, Bannu and Rawalpindi, no district in the Punjab returned as many 30 murders while the highest for a district in the North-western Provinces and Oudh was only 26.<sup>12</sup> He further revealed that the incidence of murder in the district of Bakarganj as then prevailed in Bakarganj in 1895 was "more than six times higher than in England or more than 12 times higher if figures of murders of infants below one year are left out of



account, while it will be eight or nine times higher than in the rest of this province as a whole."<sup>13</sup>

The above figures of murder is based upon true cases only. It does not include cases which were reported but were found to be false or those proved to be "culpable homicide" or those disposed of under minor sections generally "hurt" in one of its forms. If all sorts of cases ending in loss of life are taken into consideration, the final figure of homicides in this district would indeed be very large. Even if, say, only the cases which the police reported as pure murder are taken into consideration, the figures would rise appreciably ( see Table 2 ). Besides increasing number of murders in the 1890's,

**Table 2 : Revised Statement of true murder cases in the district of Bakarganj from 1891 to 1895**

Year	Now reported by the Commissioner	Reported by the Commissioner in Annual Gen. Admn. Reports	Submitted by the 1. G.
1	2	3	4
1890	—	23	26
1891	56	48	51
1892	46	41	42
1893	65	57	58
1894	80	63	63
1895	87	Up to September	

*Source : GOB : PJD (Police), Nos. 50-51, April, 1896, See, Letter from the Commissioner of the Dacca Division to the Chief Secretary, GOB. While forwarding the "revised statement", the Commissioner wrote : "The figures do not exactly correspond with those reported in my Annual General Administration Reports, and with those submitted by the Inspector-General of Police to the Lieutenant-Governor in September last at Darjeeling. Among the true cases now reported are included some cases in which death was caused, and which the police reported as murders, but which were finally returned under some minor section."*

there were occurrences which the police reported as "attempts at murder". In the seven years from 1893 to 1899 there were in the Bakarganj district no less than 107 such occurrences accepted finally as true attempts at murder by the courts ( Table 3 ).



**Table 3: Cases of attempts at murder in Bakarganj district, 1893-99**

Year	No. of cases
1	2
1893	8
1894	12
1895	19
1896	23
1897	18
1898	9
1899	18

Source : GOB : PJD ( Police ), Nos. 26-28, p. 4, Table C, June 1900.

In so far as the distribution of murder in the district is concerned, it appears that the entire tract of land with the exception of the island of Dakhin Shahbazpur ( Bhola ) was in a state of turmoil. Of the 72 murders taken place in the first 8½ months of 1895, 29 had occurred in the Sadar subdivision of the district, 20 in the Pirojpur subdivision, 21 in the Patuakhali subdivision, and only 2 in Dakhin Shahbazpur ( see Table 4 ). The statement of all true cases of murder ending in loss of life from January to December 24, 1896 also confirms the above view. During the period, 22 murders had taken place in each of the three subdivisions- Sadar, Pirojpur and Patuakhali while only 6 cases were reported from Bhola subdivision.<sup>14</sup> Bhola's exceptional position as almost a murder free zone might have been due to its terrain which being raised above ordinary floods and generally free from marshes and a network of streams made commission of murder extremely difficult. Moreover, the land system of Bhola was much less complicated and the rent lowest in the district.<sup>15</sup> The good reputation of Bhola might have also encouraged like minded people to settle in the island. From the data of 1895 and 1896, it would also seem that the Sadar subdivision was the most murderous area in the district, Patuakhali and Pirojpur coming next. In actual fact, if population factor is taken into consideration, the picture would require slight revision. The southern subdivision of Patuakhali having a population of 5.23 lakhs in 1901 would then be at the top of the murder chart with a toll of 43 during the above period compared to Pirojpur's 42 murders with a population of 5.53 lakhs and Sadar subdivision's 51 murders with 9.45 lakh people.<sup>16</sup> Bhola subdivision had indeed a very low murder figure, although it had a population of 2.70 lakhs in 1901.<sup>17</sup> The



high propensity particularly of the southern people, to violent outrages like murder was explained by J. H. Reilly (who studied Bakarganj crimes in the 1860's) to their "freedom from all wholesale social restraints, and to the feeling of independence in having money at their command, which has a tendency to make these men domineering".<sup>18</sup> The wide disproportions of sexes in some of these thanas like Amtoli, Galachipa, Patuakhali of Patuakhali

**Table 4: Murders and Attempts at Murder in the district of Bakarganj, thana by thana, up to September 15, 1895**

Name of subdivision	Name of Police Station	Total Murders	Gun-shot Murder	Attempts at Murder	Gun-shot Attempts
Sadar	Barisal	8	1	3	3
	Nalchitti	5	2	—	—
	Jhalukati	6	2	4	1
	Backergunge	5	2	—	—
	Mendiganj	2	—	—	—
Pirojpur	Gournadi	3	2	—	—
	Pirojpur	1	1	1	1
	Bhandaria	5	1	1	1
	Matbaria	13	2	1	1
	Sarupkati	1	—	1	—
Patuakhali	Patuakhali	8	4	2	2
	Amtoli	8	2	1	1
	Bawfal	1	—	—	—
	Galachipa	4	—	—	—
Bhola	Bhola	—	—	—	—
	Burhanuddin	2	—	—	—
Total		72	19	14	10

*Source :* GOB : PJD (Police), Notes and Orders to Nos. 39-49, p. 12, April, 1896.

subdivision and that of Matbaria and Pirojpur thanas of Pirojpur subdivision might have also led to increased jealousy on the side of men and infidelity on the part of women, causing occasions of murder.<sup>19</sup> Higher rates of rent per acre of agricultural land in the southern areas might have also led to increased agrarian tension with consequent violence.<sup>20</sup>



It is no less interesting to find that the weapon of murder and the occasion of its use had also undergone considerable changes in this district in the nineteenth century. Wintle while reporting about the arms of the people mentioned about *talwars*, spears, bows and arrows, *raibanses* (a long iron, somewhat like a spike, fixed at the end of a bamboo), *khagauns* (a long talwar) and bludgeons. But there was no mention of firearms either as weapons of offence or of defence.<sup>21</sup> However, from about the middle of the century, the country was flooded with guns which were then also frequently used in riots. In 1876, Sutherland (officiating Sessions Judge) wrote in the case of Meah Khan and others : "This case reveals one of the saddest features of lawlessness in Backergunge which I know. In former times, when riots took place, firearms were used ; and blood was shed ; it was generally found that influential landlords pulled the strings and supplied the ruffians. But in a case like this now under trial, this feeling of lawlessness has so far developed itself that in common petty disputes for a few bighas of land raiyats turn out armed to the teeth, supported by a strong force of their friends and partisans, and think as little of shooting each other down, even though they are near kinsmen, as if they were hunting a wild pig. How much further this unsettled feeling of lawlessness will show itself is a question for consideration of the executive authorities....It is difficult now-a-days to find a raiyat who has not at least a gun, and who knows how to make up his slugs, if even he cannot afford to buy his shot."<sup>22</sup> Mr. Sutherland's apprehension was right. There was another stage. Guns had proved useful to the landlord's bravado, useful to the hot blooded raiyats, and from about the end of the 1880's besides riots we come across the increasing use of guns along with traditional weapons in cases of murders unconnected with riots ( see Table 5). "I am told", wrote the Commissioner of the Dacca Division, Mr. Luttman-Johnson in 1895, "till within the last ten years night gun-shot murders were almost unknown. And it is only one in the last few years they have been prevalent".<sup>23</sup> From only one gun-shot murder unconnected with riot in 1888, the number had increased to 14 in 1894 and 21 in 1895.<sup>24</sup> Along with murders by gun-shots, whether connected with riots or otherwise, the figure of attempts at murder by means of firearms had also substantially increased. In 1893, there were 8 such attempts which had increased to 12, 19 and 23 in 1894, 1895 and 1896 respectively ( see Table 6). In total, on 24 occasions firearms were used in the district in criminal cases in 1891 which figure increased to 47 in 1892.<sup>25</sup> In 1895, on 48 occasions guns were used.<sup>26</sup> The figure compares very unfavourably with the record of other districts in this regard. In 1895, for example, no gun was reported to have been used



in unlawful assemblies or riots in the district of Dacca and only one murder was committed.<sup>27</sup> In Mymensingh, guns were used in two cases of riots and

**Table 5: Analysis of true murder cases in Bakraganj from 1892 to 1899**

Year	Murder in which guns were used			Murder in which guns were not used			Total
	Connected with riot	Connected with robbery and dacoity	Pure Murders	Unconnected with riot	Unconnected with robbery and dacoity	Pure Murders	
1	2	3	4	5	6	7	8
1892	—	—	10	7	—	22	39
1893	2	—	7	7	3	35	54
1894	2	—	14	11	1	32	60
1895	1	—	21	5	—	49	76
1896	1	1	13	4	—	38	57
1897	—	—	—	—	2	28	30
1898	—	—	1	2	—	42	45
1899	—	—	1	4	1	30	36

Source : GOB : PJD ( Police ), Nos. 26-28, p. 4, Table B, June 1900.

**Table 6: Statement showing cases of attempts at murder in Bakarganj from 1893 to 1899.**

Year	No. of cases
1893	8
1894	12
1895	19
1896	23
1897	18
1898	9
1899	18

Source : GOB : PJD ( Police ), Nos. 26-28, p. 4, Table C, June 1900.

unlawful assembly and in Faridpur in 3 cases of ordinary riots, and in 1 case of riot attended with murder.<sup>28</sup> The widespread use of firearms for murderous purposes thus became a conspicuous feature of the criminal history of Bakarganj by the end of the nineteenth century.



A special feature of gun-shot murders unconnected with riots, robbery & dacoity was the employment of professional assassins. These assassins known in Bakarganj as *palwans*, not as one would suppose, a wrestler, but a man well up in the use of guns and other arms. Often under the protection of well-to-do residents of the district, these *badmaheshes* could be hired to kill at a price. In the beginning, wrote Mr. E. C. Ryland, the District Superintendent of Police, these *palwans* used to be paid Rs. 100 for each murder (often two or three *palwans* jointly did the job) which came down to Rs. 50, and later to Rs. 25.<sup>29</sup> In consequence of the impunity with which such offences were being committed, these men were later on paid still lower price on their services. In one case the rate fixed was Rs. 15 - an advance of Rs. 5, and the balance when the deed was done.<sup>30</sup> In all these cases, the crime was committed at night and in the victim's own homestead.<sup>31</sup> Practice enabled them to get clear off after the shot and hide in the jungle before the terrified family had time to recover from their panic and began to search for the murderer. Best use was also made of the innumerable water ways, known as *khals*. "The country is intersected with water-ways, known as *khals*. The murderer comes in a boat, leaving no trace of his movements, creeps up to the house and making an aperture in the flimsy wall for the muzzle of his gun, shoots his victim at pleasure. On the sound of the shot, the other inmates of the house cower in terror, and the murderer regains his boat and escapes, no attempt at pursuit being made".<sup>32</sup> Such murders were thus extremely difficult to detect. "In most cases it was utterly impossible to say who he was, and even where he was professedly identified and placed on his trial, he was invariably acquitted...the acquittals were unavoidable, the witnesses who 'identified' the murderer having falsely sworn they saw the man whom after due reflection and enquiry they suspected".<sup>33</sup> Moreover, the employer of the assassins often took sufficient care to get up an undeniable *alibi*, so that when the victim's relations, unable to find the actual assassin, but knowing who in fact must have directed the shot, accuse him as the murderer he was able to prove his innocence triumphantly to the Sessions Court.<sup>34</sup> Most of the guns used for the purpose, it may also be pointed out, were unlicensed firearms, believed to be old weapons existing in the district since before the operation of the Arms Act, XI of 1878. Originally kept for the purpose of protection of life and crops from the ravages of wild animals, these guns were never brought out for licenses but were quietly handed down from father to son, or circulated privately in illicit traffic.<sup>35</sup> The owners of these guns, whose number must have been considerable, obtained ammunition from the following sources, viz., (a) from gun license holders who, taking ammunition under their license, sold it to those possessing no licenses, (b) from traders who smuggled ammunition from Calcutta, (c) used handmade



bullets and slugs.<sup>36</sup> In one instance, Inspector Kali Kishore Chaudhury in his search for unlicensed guns and ammunition had found from the possession of a daffadar a large quantity of powder and a number of caps sufficient to supply all the assassins in the district.<sup>37</sup>

The sudden upward trend in the serials of murder and attempts at murder in the early 1890's was not, however, due to increased use of firearms only. Along with the use of guns, the most favoured weapons were a large curved knife (dao) which inflicted frightful wounds and the fish-spear which pierced the body with its fifty prongs and could not be extracted without tearing the flesh to pieces. The impunity with which the assassins used the guns probably encouraged others to resort to other forms of murder.<sup>38</sup> The increase of murder by traditional weapons had thus increased enormously from 29 in 1892 to 54 in 1895 or 86.2 per cent in three years ( see Table 5 ).

Another significant aspect of murder was seasonal variation. It will appear from Table 7 showing the true cases of murder decided month by month in the district of Bakarganj from the years 1894 to 1899 that in all 73, 103, 67 and 58 cases of murder took place in the four quarters-January-March, April-June, July-September and October-December respectively. In other words, the second quarter was the worst from the point of view of the incidence of murder. The cause of this rise was explained to comparative period of rest following the winter harvest when there was a crop of intrigues, which ripened into homicide in the second quarter. "It is worth noting", wrote N. D. Beatson-Bell, the Magistrate of Bakarganj "that the 2nd quarter is a quarter of comparative rest from agricultural labour, a period during which a man can covet his neighbour's wife".<sup>39</sup> With the second quarter over, there took place a change for the better which continued throughout the third and fourth quarters of the year. From the first quarter onwards, the incidence once again started to rise. The chart ( appended herewith ) brings out the above facts more clearly. The top line indicates murder of all kinds, and the bottom line murders by gun-shots. Another point well worthy of note is that the two lines in the chart run almost parallel ; when the bottom line rises: the top line rises; and when the bottom line falls, the top line falls. (Some people used to argue that if gun-shot murders were made impossible, people would adopt some other means of homicide. The chart is an interesting commentary upon this line of argument). In other words, it shows that, if gun-shot murders were reduced, the whole range of murders also fell. The assassin was often far too cowardly to kill his man at close quarters. If he could not get a gun, he refused the job.



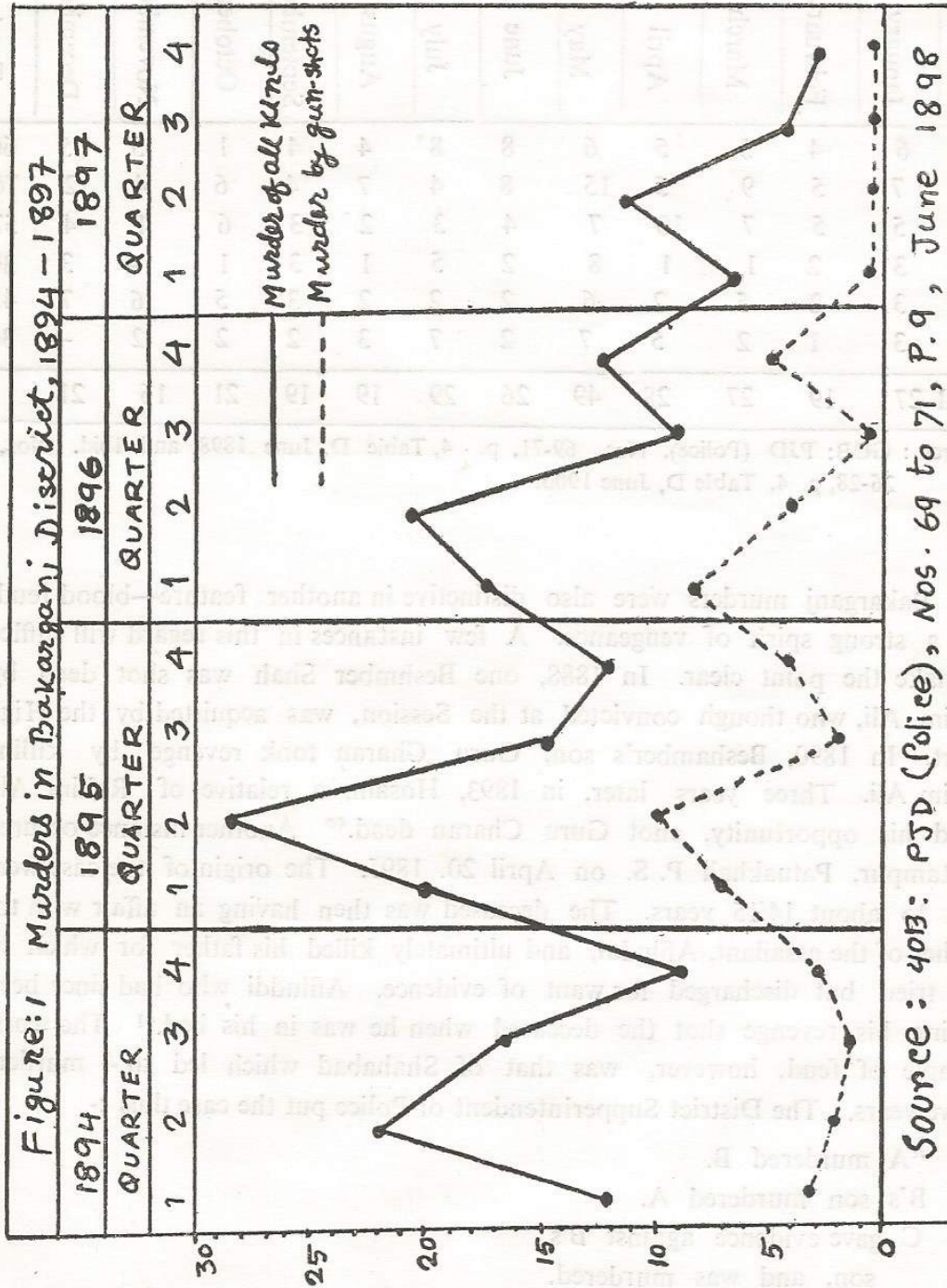


Figure 1



**Table 7: Statement of True Murder Cases decided, month by month, in Bakarganj during the year 1894**

Year	January	February	March	April	May	June	July	August	September	October	November	December	Total
1894	6	4	3	5	6	8	8	4	4	1	3	5	60
1895	7	5	9	5	15	8	4	7	4	6	4	2	76
1896	5	5	7	10	7	4	3	2	3	6	1	4	57
1897	3	2	1	1	8	2	5	1	3	1	—	3	30
1898	3	2	5	2	6	2	2	2	3	5	6	7	45
1899	3	1	2	5	7	2	7	3	2	2	2	—	36
Total	27	19	27	28	49	26	29	19	19	21	16	21	

Source : GOB: PJD (Police), Nos. 69-71, p. 4, Table D, June 1898, and Ibid. Nos, 26-28, p. 4, Table D, June 1900.

Bakarganj murders were also distinctive in another feature—blood feuds and a strong spirit of vengeance. A few instances in this regard will suffice to make the point clear. In 1888, one Beshmber Shah was shot dead by Rahim Ali, who though convicted at the Session, was acquitted by the High Court. In 1890, Beshamber's son, Guru Charan took revenge by killing Rahim Ali. Three years later, in 1893, Hosain, a relative of Rahim Ali, found his opportunity, shot Guru Charan dead.<sup>40</sup> Another instance occurred at Rampur, Patuakhali P. S. on April 20. 1895. The origin of the case went back to about 14/15 years. The deceased was then having an affair with the mother of the assailant, Afiluddi, and ultimately killed his father for which he was tried but discharged for want of evidence. Afiluddi who had since been nursing his revenge shot the deceased when he was in his bed.<sup>41</sup> The worst example of feud, however, was that of Shahabad which led to 4 murders in five years. The District Superintendent of Police put the case thus :-

“A murdered B.

B's son murdered A.

C gave evidence against B's son, and was murdered.

C's son murdered B's son.”<sup>42</sup>

Besides long standing feuds, the people of this district often went to extremes to wreck vengeance on those they had a grudge against. Two cases



are cited here. In one instance in 1896, a ruffian, named Kalu Sikder, took his own daughter to a lonely spot at night, and deliberately butchered her. He then went to the thana, and laid false charge against some of his enemies.<sup>43</sup> In another instance, in 1897, Ratanullah murdered his own mother in order to bring a false charge against some zamindari peons who accompanied a Civil Court peon when the latter went to execute an order of ejection against Ratanullah.<sup>44</sup> Earlier, Beveridge also mentioned details of two cases to show to what desperate lengths the wild elements in the population would occasionally go in the prosecution of their revenge.<sup>45</sup> It was these instances and perhaps some more of such stories which prompted Jack later on to suggest a detailed study of the criminal history of the district.<sup>46</sup>

Murders in this district also differed substantially from the rest of the province in the fact that while in other parts of Bengal few murders were committed in cold-blood and after weighing the chance of escape, in Bakarganj "a great proportion of the murders are most deliberately cold-blooded, and in which...the chances of escape are deliberately attended to in planning the time and circumstances of the projected crime".<sup>47</sup> It is for this reason that we find a much larger porportion of murders in this district were u/s. 302 (premediated murder) rather than u/s. 304 i.e., culpable homicide or murder by rash and negligence (Section 304a).<sup>48</sup>

Another striking feature of Bakarganj murder is the frequency of cases in which Muslims were involved. Although they constituted 67.91 per cent of the total population of the district in 1891, 81.61 per cent of the murders in the year 1895 were committed by Muslims and in another 2.30 per cent, by Hindus and Muslims jointly (see Table 8). Some 8.05 per cent of the murders in that year were committed by the Hindus who constituted 31.59 per cent of the population in the district and equal number of murders by unknown persons.<sup>49</sup> Likewise, the victims were also preponderantly Muslims. In that year, 88.51 per cent of those murdered were Muslims, and the rest Hindus. That Muslims of Bakarganj were traditionally been the more crime prone ones in the district were also noticed earlier by various British writers. H. C. Sutherland in his *Report on the History and Statistics of the District of Bakergunge* in 1868 wrote, "The Mussulmans are almost the worst type of their creed, steeped in ignorance and prejudices, very litigious, grossly immoral and most easily excited. There is scarcely a District in Bengal where life is held so cheap ; murders are committed on the least provocation."<sup>50</sup> Beveridge also noted the low sexual morality of Bakarganj Muslims, among whom many of them were boatmen, leading wondering and solitary lives. Like most sailors, they were an immoral class; and their wives, from being



Table 8: Distribution of murders among Hindus and Muslims in the district of Bakarganj in 1895

Total number of true murders reported in the year 1895	TOTAL NUMBER OF		DETAILS OF REAL AND SUSPECTED MURDERER									
			Of Hindus					Of Musalmans				
	Hindus killed	Musalmans killed	Killed by Hindus	Killed by Musalmans	Killed by both Hindus and Musalmans	Killed by Unknown persons	Killed by Hindus	Killed by Musalmans	Killed by both Hindus and Musalmans	Killed by Unknown persons	Musalmans	Killed by Unknown persons
1	2	3	4	5	6	7	8	9	10	11		
87	10	77	4	4	—	2	3	67	2	5		

Source : GOB : PJD (Police), Nos. 50-51, p. 2, April 1896. Total number of murders in the district would tally with the revised statement of the Commissioner as shown in Table 2.



left to themselves so much, often fell into intrigues.<sup>51</sup> "In this class of offences [enticing away married women]", wrote Hunter "Musalmans are almost always implicated, and such cases are for most part unknown amongst the Hindus except those of the lowest castes."<sup>52</sup> The principal reason for frequent involvement of Muslims in such notoriety lay perhaps in their lack of general and moral education. Compared to Hindus, not only the percentage of literates amongst the Muslims low,<sup>53</sup> they were also far removed from the teachings and ideal of Islams. Visits of religious leaders like Maulana Keramat Ali of Jaunpur to Bakarganj and Islamic reform movements like the Faraizi movement (which had roots in the then Backarganj district) seems to have little effect in moulding the character and life of the Muslim population of this district.<sup>54</sup>

## II

The causes of the high incidence in 1890's, is extremely difficult to account for. Hence, we may at best surmise or put forward certain plausible explanations thereto.

The first and foremost reason seems to be the general character of the inhabitants of this district. Most of them, lured by the richness of the soil, had migrated into this tract of land in comparatively recent times. "These bands of settlers were uncouth men who had made their native districts too hot to hold them. They soon threw off the shackles of law and order. The very names of their settlements are startling—Galachipa, the settlement of strangulation, Lathimara, the settlement of the cudgel fight. We may compare the character of those backward woodsmen with the character of the pioneers of Mashona land or the rocky mountains...we shall not be far wrong in saying that the present raiyats in the south of the district are within three or four generations of the pioneers. No wonder that the spirit of lawlessness still remains."<sup>55</sup> It may also be noted that, "Most of them were followers of the Prophet; the milder Hindus dreading to leave their lares and penates for a hand to hand fight with the forces of nature in a distant spot."<sup>56</sup> That the moral character of early settlers were at the lowest pitch of infamy was also testified by Mr. Wintle at the beginning of the nineteenth century. He wrote, "both the men and women are extremely passionate, and loose and profligate in their manners. Infidelity on the part of the women, and jealousy on the side of the men, most frequently are the occasion of murders, but sometimes a dispute about a kid or a *hooka* is sufficient for that purpose. Passion also often leads to the commission of self-murder..."<sup>57</sup> J. H. Reilly, who knew



the district well remarked, "It is difficult to explain why the crime of murder is so common in Bakergunge. On asking the people, the only answer they give is that the men of the *Bhati Des* (tidal country) are very passionate. The people are quite right that the men in the southern portion of Bakarganj are prone to violent and sudden outbursts of passion."<sup>58</sup> W. W. Hunter also noted "strong passion and love of intrigue" among the people of Bakarganj. He wrote, "A very large number of cases are instituted for enticing away married women. There is no offence of more constant occurrence in the District than this".<sup>59</sup>

Land was another fruitful source of violence in the district. Besides riots occurring among different categories of landowners over the possession of land (the adage that "Possession is nine-tenths of the law" being well appreciated), there were also perennial disputes between landlords and raiyats over the enhancement of rent, eviction from holdings, etc. For most of these disputes, Jack, however, blamed the landowners of this district who, according to him, were particularly oppressive and had flagrantly violated the law with impunity.<sup>60</sup> No wonder, the raiyats frequently combined to oppose their landlords, resulting in bloodshed and murder. Another important cause of land disputes was inadequate survey operations and the preparation of a record of rights. This was most necessary, as the Annual Police Report pointed out: "Owing to the operation of the Muhammadan law of inheritance and the prevalence of intermarriages amongst the Bakergunge Musalmans, sub-infeudation has been carried out to an unheard-of extent, and it is said that there are instances in which a fraction with a denominator of three figures would be required to express the interest of an individual in a field. If this be so, it is certain that no record of rights could provide a solution for all existing difficulties in connection with land, though it would undoubtedly do much to settle disputes and diminish agrarian crime. If a plebiscite could be taken, there would be a majority of votes in favour of a survey and settlement, as every one is tired of living under a reign of terror where each man lies in wait for the familiar enemy who has put forward a claim to his land."<sup>61</sup>

Freedom from all wholesale social restraint was another important cause of murder in the district. Due to the peculiar physical nature of Bakarganj, the people in most cases, did not cluster together in compact villages as in the older districts but built their homesteads generally on the highest spot appertaining to their holding, without any reference to their neighbours. The consequence was that, the homesteads were far from each other, with dense



plantations of cocoanut and betel-nut surrounding each house. Families for this reason, had little communication with each other, and owing to the numerous *khals* or watercourses, and the swampy nature of the country, neighbourly visits were seldom exchanged between them. The social result was disastrous as was explained by J. H. Reilly : "In the older districts owing to the social relationships subsisting between families, domestic disputes are settled either by neighbours or by a Panchayet of the villagers, and man finds himself restrained in his temper and manners by the fact that the eyes of his neighbours are upon him ; if he beats his wife, it is known at once in the village, and forms the gossip of his friends. But in Bakarganj, owing to the isolation of families, the owner of the homestead is sole arbiter and ruler, independent of social restraint. If a man of bad temper, he often develops into a despot or domestic tyrant. This will explain how a man of this lordly disposition, whose pride has been fostered by wifely homage, returning home after a hard day's ploughing, and finding his rice uncooked or cold, seized a club or a knife, and either batters or hacks his wife to death....I believe the household habits of the people, caused by the secluded lives they lead, will account in a great measure for the social and domestic murders so prevalent in the district. The prevention of murder among such a race is not the work of the police officer ; it is the works of the school-master and teacher, who, by inculcating a purer religion and higher standard of humanity, may civilise these savages, and soften their hearts and manners ; until that is effected, murder will continue to be common in the district."<sup>62</sup>

The low character of a segment of population, the land system of Bakarganj and freedom from all wholesale social restraints contributed to the generally high level of murders in this district throughout the nineteenth century. Over the top of this, certain administrative measures of the government and misadministration on the part of the local authorities created an explosive law and order situation. In this category, we may mention the effects of the Bengal Tenancy Act of 1885, the strenuous working of the Criminal Procedure Code to contain riots, judicial impunity in gun-shot murders, misadministration of the Arms and Ammunitions Act, 1878, reduction of police force in the district and a fall in the efficiency of the law enforcing agencies.

Land, as we have seen, was a potent cause of conflict in the district. The relationship between the landlords and raiyats was very bitter over such questions as the enhancement of rent and ejectment from holdings. The government, therefore, to "restore to the raiyat something of the position which they occupied at the time of the Permanent Settlement", enacted the Bengal Tenancy Act, 1885.<sup>63</sup> It gave to the raiyat, among other things, reasonable



security in the occupation of his land. It also gave statutory recognition to the right to transfer occupancy right, if the holding was transferable by custom or usage.<sup>64</sup> The transfer had to be made by a registered instrument after the payment of landlord's transfer fee and the right of pre-emption given to the landlord.<sup>65</sup> Even the grant of this limited right to transfer land, it seems, was well recognised by the Bakarganj raiyats as could be seen from the volume of land transfers since the passing of the Act (see Table 9). But in many instances such 'custom' or 'usage' was probably contested by landlords and in many cases mahajans grip over the indigent cultivators became stiffer leading to increased violence in the countryside. As Beatson-Bell observed

**Table 9: Transfer by registered deeds of raiyats holdings in Bakarganj, 1886-7 to 1895-96.**

Year	No. of transfers
1886-87	2,352
1887-88	2,464
1888-89	3,090
1889-90	3,909
1890-91	4,697
1891-92	5,369
1892-93	5,802
1893-94	6,782
1894-95	6,611
1895-96	5,621

Source : GOB : PJD ( Police ), Nos. 27-28, December, 1896.

"The more valuable a holding becomes to a raiyat the more bitter is his resentment towards any one who infringes upon his right. On the other hand the more clear it becomes that a raiyat's holding is a marketable commodity, the more firm becomes the clutch of the money-lender upon the spendthrift cultivator. In other districts the effect of these changes may not be evident in criminal statistics ; but the Backergunge raiyat, predisposed to homicide, has a swift and deadly method of getting rid of his enemy".<sup>66</sup>

Closely connected with the land question was the issue of riots which in Bakarganj had assumed menacing character over the years. With a view to suppressing riots, the local administration, in the 1880's decided to



adopt coercive measures u/s. 107 Criminal Procedure Code which bound down persons to keep the peace.<sup>67</sup> As a result, no doubt, the intensity and the number of riots had diminished,<sup>68</sup> but this might have led in the later years to the development of a custom of murdering their enemy at night.<sup>69</sup> E. R. Henry, the Inspector-General of Police thought that there was something in it. He wrote in August, 1895 : "Of late years strenuous efforts have been made to prevent riots and section 107, Criminal Procedure Code, has been very rigorously worked. Consequently, raiyats have not been able, as formerly, to let off bad blood by fighting out their quarrels in the fields, and now pay out their enemies by murdering them at night".<sup>70</sup> The raiyats of the district might have also by then found out advantages of night murder. As E. C. Ryland so rightly guessed : "I think that the people of Backergunge are beginning to find that they are better off by murdering their enemies than by attempting to resist them. Hitherto there have been rioters often attended with loss of life, but the people are beginning to find that in a riot their real enemy usually escapes to fight another day and to continue his persecution, and that rioters are usually detected and their chances of going to jail are much greater."<sup>71</sup>

In the opinion of contemporary officials, however, the chief cause of the epidemic of murder in the district was judicial impunity, particularly in gun-shot assassination cases. Thus when the percentage of conviction in all true cases of murder was 27.33 (91 cases out of 333) during the period 1889-95, in gun-shot assassination cases it was only 3.17 (during the period from 1888-95) or 2 convictions out of 63.<sup>72</sup> It was this impunity from penal consequences, the Lieutenant-Governor felt, which led to the epidemic of murder in the 1890's. "The Lieutenant-Governor has no doubt that the principal cause in the increase of gun-shot murders is the impunity with which it is found they can be committed ...".<sup>73</sup> The Inspector-General of Police, Mr. Henry also held similar views. "It appears to be that the impunity with which it is committed is the real explanation ...".<sup>74</sup> The gun-shot murders committed with impunity besides emboldening desperadoes with fresh hopes, had also the effect of increasing *dao* murders. "The impunity ... encouraged not only gun shot assassination, but other forms of murder also."<sup>75</sup> The inadequate punishments awarded in murder cases were no less responsible. In 1885, in one instance (Galna case) the punishment was 'confinement to the rise of the Court'.<sup>76</sup> In another case where capital sentence was inflicted to two men who committed the deed, it was ultimately not carried out as it was uncertain which pulled the trigger.<sup>77</sup> "On one occasion", wrote Mr. Savage, the Magistrate of the district in 1893, "one condemned man, when standing on the gallows, complained bitterly that he should be made to suffer death when others who had committed crimes of a like nature had received only imprisonment".<sup>78</sup>



Table 10 : Convictions, acquittals and detections in true murder cases in the district of Bakarganj, 1889-99

Year	True Cases	Convicted		% of cases	Acquitted		Un-detected		Percentage of cases not detected
		Cases	Persons		Cases	Person	% of cases	detected	
1	2	3	4	5	6	7	8	9	10
1889	27	8	9	27.63	—	—	—	—	—
1890	26	9	9	34.62	—	—	—	—	—
1891	51	14	15	27.45	—	—	—	—	—
1892	39	7	11	17.95	14	48	35.90	18	46.1
1893	54	20	28	37.04	25	39	46.30	9	16.8
1894	60	17	25	28.33	18	32	30.00	25	41.6
1895	76	16	24	21.05	17	44	22.37	42	55.2
1896	57	20	39	35.09	27	73	47.37	10	17.5
1897	30	10	18	33.33	8	16	26.67	12	40.0
1898	45	28	43	62.22	8	39	17.78	9	20.0
1899	36	19	31	52.78	5	25	13.89	12	33.3

Sources: GOB: PJD (Police), Nos. 50-51, P. 4 April 1896; Ibid, Nos. 26-28 P. 3, June 1900.



The government's policy as regards the Arms and Ammunitions Act, XI of 1878 was also thoroughly wrong from the beginning. With the operation of the Arms Act, no effort was made to induce owners of guns to take up licenses. As a result there were in the district many unlicensed guns which came to be used later on against persons when right opportunities arrived. Furthermore, as licensed guns also remained unmarked till 1892, it facilitated their use in disputes.<sup>79</sup> In fact, till 1890, the Arms and Ammunitions Act was only in the statute book. Even no special report on the Act was required to be submitted to the government and in the year 1891 it contained only 136 words.<sup>80</sup> The total medley in which the administration of the Act was in the district had been brought to the notice of the government by H. Luttman-Johnson, the then Commissioner of the Dacca Division in his note dated March 4, 1895. He wrote : "I have no hesitation in recording my opinion that our action under the Arms and Ammunition Act in the Backergunge district... has been wrong throughout. First, no proper attention was paid to the matter : no inducements were held out to owners to produce their guns. Retainers were entered in column 2 of the license in a promiscuous manner. Licenses were in some instances granted in more than one name. Permits to purchase was treated as licenses to possess, and vice versa. Guns were licensed which had no existence. Licensed guns were commonly used by persons other than the licensees. Guns were never marked, so it was impossible to decide if a gun was licensed or not. When licenses were not renewed, the guns were not accounted for. Worst of all, though only an insignificant fee was charged, to obtain a license or its renewal was a costly business owing to the fact that it entailed a journey to the Sadar station".<sup>81</sup> Furthermore, breaches of the Arms Act were also dealt with lightly. When the law prescribed a maximum penalty of three years rigorous imprisonment, delinquents in Bakarganj were punished customarily with nominal fines only. In the year 1891 and 1892, for example, 25 and 40 persons respectively were convicted with fine only and none was punished with imprisonment.<sup>82</sup> Such light punishment meted out to persons for breaches of the Arms Act compared very unfavourably with the rigour with which the Act was visited in the North-Western Provinces.<sup>83</sup> "It is tolerably certain that, if unlicensed possession entailed penalties in Bengal of sufficient severity, few persons would keep unlicensed arms... Some stringency is needed in the interests of the well-being of the law-abiding portions of the community there."<sup>84</sup>

There had also been a reduction in the number of regular police force in the last quarter of the nineteenth century. Compared with one policemen to 3,755 persons in 1872, this proportion had become 1 : 6,970 in 1894.<sup>85</sup> No doubt the proportion was still better in this district than most others in the province,



yet the physical nature of the country demanded the stationing of more policemen. "It is useless to compare the figures of this district with those of other parts of Bengal. Means of communication in a great part of this district is slow, difficult and dangerous. It is essentially necessary in all important cases that a police officer should promptly reach the spot. This is impossible in the present state of affairs."<sup>86</sup> Furthermore, the efficiency of the police force had also deteriorated over time. "Many of the old officers in Backergunge have got lazy and fat; they like the travelling about in boats and good feeding. They are too well in with the local zamindars."<sup>87</sup> This sort of officers were evidently not suitable for investigating murders, especially gun-shot murders, which required thorough investigation and good detective faculty. As a result not only a large number of cases remained unsolved but even those which were detected mostly fell through as the evidence collected to ensure a conviction in this class of crime was not considered good enough by the courts. If the regular police force was inefficient, the rural police, i.e., *chaukidars* were hands-in-glove with local *bad-mahes*.<sup>88</sup> Besides neglecting their duty of timely reporting crimes to the police, they were thoroughly corrupt—being easily gained over as witnesses. "Many of our cases have been spoilt by *chaukidars* who are guided entirely by the will of the zamindars or headmen of the village."<sup>89</sup> The "conspiracy of silence" on the part of the people to assist the authorities in bringing to light the facts connected with many of these occurrences was also considered unfortunate. It was felt that, "If villagers would only turn and render assistance, these night murders in Backergunge might be detected."<sup>90</sup>

After having discussed the general causes of murder, and the *casus belli* for the increase of homicides in the 1890's we now intend in brief to look at the motives of murder. It will appear from Table 11 that no less than 116 killings (total of columns 2, 4 and 7) out of 334 or 34.73 per cent of all true murders during the period 1891-95 took place owing to land disputes. Out of 116 cases 54 were connected with riots and the rest in cases unconnected with riots. Killings of zamindari servants in connection with land disputes other than in riots seemed to be unimportant.<sup>91</sup> It is, however, possible that quarrels arising out of land disputes with different grades of tenure holders (other than zamindars) have been shown in column 7. That land was the motive of the largest segment of murders in the district was also stated in the statement of murder cases for the year 1896 (till December 24 of the year). In that year, no less than 29 murders out of 56 or nearly 52 per cent of murders were due to land disputes.<sup>92</sup> Private enmity about a woman was at the root of 24.25 per cent of all true murders during the years 1891-95 (Table 11). In reality, in the opinion of all the more experienced officers in the district,



Table 11: Statement showing the causes of murder in the district of Bakarganj, 1891-95

Year	Connected with riot			Unconnected with riot									
	Connected with riot			Unconnected with riots (details)									
	1	2	3	4	5	6	7	8	9	10	11	12	Grand total
1891		6	50	2	—	18	8	17	1	3	1	56	
1892		7	39	—	—	18	5	12	1	1	2	46	
1893		16	49	1	—	8	14	17	—	6	3	65	
1894		13	67	1	—	20	12	17	2	12	3	80	
1895		12	75	—	—	17	19	25	1	12	1	87	

Source : GOB : PJD ( Police ), Nos. 50-51, April 1896. Grand total of murders will tally with column 2 of Table 2 of this article.



this figure was rather a conservative estimate as villagers felt shy to divulge facts in which a woman was the cause. In the the year 1896, when efforts were made to compile the motives more carefully than hitherto, it was found that 30.36 per cent of all true murders took place on account of women.<sup>93</sup> A good number of murders also took place as a result of private quarrels, robbery and dacoity and to other unspecified causes. It is, however, curious that no *mahajan* became the victim of murder for *mahajani* business during the years, at least, from 1891-96 although they might have been murdered due to other causes including land grabbing.<sup>94</sup> Those murdered in the district were in almost all cases notorious characters. "...the person murdered usually brings his own fate upon himself, and, if all the true facts were known, might almost be considered deserving of his fate".<sup>95</sup> "It frequently happens", added another, "that a regular "committee" is formed which sentences the offender to death and sees that its sentence is carried out".<sup>96</sup> The passiveness of the people in rendering material assistance to the police in the detection of crime gives credence to the story.<sup>97</sup>

### III

To contain the rising volume of murders, the government, local and provincial, adopted a series of special preventive measures. Firstly, as far as possible, the local government followed a policy of restricting the grant of licenses only to persons of good character who were in need of firearms for the protection of their lives and property from wild animals. This restrictive policy is evident from the statistics regarding the grant of licenses in the district of Bakarganj as shown in Table 12. In spite of the reduction of gun licenses, however, gun-shot murders kept on increasing. In other words, it soon appeared that the number of gun licenses had in fact nothing to do with the number of gun-shot murders—the holders being almost all immaculate. Secondly, as it was increasingly becoming evident that murders were being committed in the district almost wholly by unlicensed guns, the local administration became tough and started to inflict heavy sentences of imprisonment of the delinquents for breaches of the Arms Act. Thus instead of customary nominal fines, heavy sentences of up to 18 months were passed on some persons in 1893 and 1894 which unfortunately led to much correspondence and conflict of views (prisoners in all appeal cases were released by the High Court and the Commissioner of Dacca Division criticised such sentences while all officers below the level of the High Court agreed that such heavy sentences were necessary).<sup>98</sup> The government also seemed unwilling to press its officers to exercise greater stringency in enforcing the provisions of the law against the unlicensed possession of arms (and even reduced the remainder of the sentences in three cases in which the persons



**Table 12** Number of gun licenses granted or renewed in the district of Bakarganj, 1890-95

Year	Number
1890	3,633
1891	2,980
1892	2,666
1893	1,562
1894	1,584
1895	1,787

*Source :* PJD ( Police ). Nos. 14-15, September 1896. See, Letter No. 543J, dated, Dacca, the 28th March, 1896 from H. Luttman-Johnson, the Commissioner of Dacca Division to the Chief Secretary, GOB.

convicted had served out six months of their sentence or more, and were still in prison, and reduced the sentence of another to six months ).<sup>99</sup> Thus, due to divided official opinion deterrent measures against breaches of the Arms Act could not be enforced. The government also experimented with conditional amnesty. This amnesty was granted initially to all persons in Bhola for a period of six months effective from January 1, 1896 within which to produce unlicensed guns and take out licenses for them on payment of a small penalty.<sup>100</sup> Under this amnesty, no person was to be prosecuted unless he was shown to have used the gun for unlawful purposes. It was hoped that the experiment in Bhola might afford data for extending it to other parts of the district and so of recovering a hold of a large number of unlicensed guns.<sup>101</sup> But in spite of the "free circulation of the notice", not a single gun had been surrendered. "...it is not easy to make a favourable impression in the minds of the people of this place, however reasonable the explanation may be", opined the Subdivisional Officer of Bhola while forwarding a report on the results of the experiment for the information of the government.<sup>102</sup> Fourthly, the services of chaukidars and panchayats were also increasingly utilized to apprehend criminals. In the early months of 1893, the Magistrate of Bakarganj had issued directives to the police and to chaukidars to keep a sharp look-out for men suspected of having unlicensed guns in their possessions.<sup>103</sup> The government had also directed the local administration ( in April, 1895 ) to carefully examine the chaukidars, on occasions of their muster parades at the thanas, regarding the existence of unlicensed guns within the area of their beat.<sup>104</sup> Detailed instructions were later on issued to the panchayats and chaukidars on January 16, 1896 impressing upon them the importance of their assistance to the police in the detection of murders (see Appendix 1).



Besides, the panchayets were additionally instructed to rouse popular feeling amongst the villagers as "we must trust to the people to help themselves".<sup>105</sup> For the detection of unlicensed guns or the production of unlicensed guns, chaukidars were moreover offered attractive monetary rewards.<sup>106</sup> Fifthly, in the later half of 1895 a competent Inspector was deputed on special duty to investigate crimes of murder. Along with that, the thana staff was also strengthened by sending in three experienced Sub-Inspectors of good physique.<sup>107</sup> However, as the results had not been commensurate with the efforts made by these officers, the Lieutenant-Governor had further ordered the appointment of three Inspectors for employment in the Bakarganj district. One of these officers was posted at the head-quarters subdivision, another in Pirojpur and another in Patuakhali. The fourth was initially posted in the Matbaria thana, but his services were available elsewhere had the District Superintendent wished so.<sup>108</sup> These officers were also directed to investigate and enquire into all matters connected with murder cases and to carefully examine ammunition shop registers as it was believed that "much might be learnt by an intelligent detective from his surveillance over these shops and following up the alleged purchasers".<sup>109</sup> Lastly, magisterial staff in the district was also strengthened. This was done to speed up trials in Magistrates' Courts which were "tyrannised over by local Bars whose interest it is to make the trial of cases as lengthy as possible. Meantime, witnesses get disheartened and become anxious to withdraw at any cost, from proceedings which take up so much of their time, while police officers are kept at courts for unnecessarily long period to the detriment of their work".<sup>110</sup> In fact, taken the statistics for the years 1893 and 1894 together, it was found that trials in Magistrates' Courts were more protracted in Bakarganj than in all other districts except Bogra, where administration during these years was admittedly inefficient.<sup>111</sup> Magistrates during this time, besides trial of cases, were also directed to make local enquiry where murders occurred within accessible distance of head-quarters. "Civilian officers are more prompt in making such local enquiries, and have more prestige with the people, who will be more ready to assist them in unravelling crime, as they feel they can count upon them for protection against reprisals".<sup>112</sup> In October, 1895, a Joint-Magistrate was also deputed "who will be specially in charge of this subject [murder] and will enquire into all cases of the kind himself, as well as be constantly on the move visiting the localities where murders are committed or attempted".<sup>113</sup> It was hoped that the hands of this officer would materially be strengthened by the appointment of the Special Inspectors.

But the special preventive measures<sup>114</sup> initiated by the government bore partial fruits only. The number of true murder cases which was 49 in the first



half of 1895, came down to 38 during the similar period in 1896.<sup>115</sup> This number was still considered too large and it was thought unwise to assume that the tendency to diminish would continue.<sup>116</sup> The deputed police officers were also able to ascertain the names of a number of persons who were believed to be professional assassins but due to lack of sufficient evidence to send them up for trial, many of them could only be successfully prosecuted for bad livelihood (see Table 13).<sup>117</sup> Furthermore, in the first six months of 1896, not many (33 cases) illegal possession of arms and ammunition had been detected.<sup>118</sup> It was also found impossible

Table 13 : Statement of bad livelihood cases in Bakarganj from 1892-1899

Year	No. of cases instituted	No. of cases prosecuted to conviction	Percentage of column 3 to column 2
1892	86	66	76.7
1893	44	35	79.5
1894	159	121	76.1
1895	137	110	80.2
1896	470	380	80.8
1897	413	331	80.1
1898	230	193	83.9
1899	160	101	63.1

Source : GOB ; PJD ( Police ), Nos. 26-28, p. 4, Table C2, June 1899.

to keep track of all holders of licensed guns who procured gunpowders from the licensed shops. "566 pounds of gunpowder were sold at our licensed shops in the half year [ of 1896 ] which is a great deal for 1,777 licensed guns", wrote the Commissioner of Dacca Division.<sup>119</sup> Again, he added, "It is said that holders of unlicensed guns get holders of licensed guns to procure gunpowder for them. There are 49 fireworks manufacturers whose doings have only lately been properly supervised in the district. It would be difficult, if not impossible to prevent holders of unlicensed guns from getting coarse gunpowder from these men".<sup>120</sup> With a view, therefore, "to consider the present state of the district in respect of murders, especially gun-shot murders", the government convened a conference with the local officers on August 7, 1896.<sup>121</sup> The conference held at Barisal was presided over by the Lieutenant-Governor, Sir Alexander Mackenzie and was attended by the Chief Secretary, Mr. C. W. Bolton, the Commissioner of Dacca Division, Mr. Luttmann-Johnson, the Magistrate of Bakarganj, Mr. Beatson-Bell, the District Judge, Mr. Gordon, the Additional Judge, Mr. Random, and the District



Superintendent of Police, Mr. Ryland.<sup>112</sup> The meeting decided, among other things, to adopt the extraordinary step of disarming the entire district, that is, the recalling and cancellation of all the existing licenses for firearms with effect from September 1, 1896 (for government notification, see Appendix II).<sup>123</sup> By so doing, the government wanted to "simplify the detection of guns which are at present held, it is believed in large numbers, without license".<sup>124</sup> It was also decided to strengthen the hands of the Magistracy by the employment of more Government Pleaders so that the Magistrates when committing offenders to the Sessions might be able to supply all the available evidence in a complete and satisfactory form.<sup>125</sup> This was done in view of the fact that the Sessions Court and the High Court required a very high standard of evidence to ensure a conviction in these cases when the life of an accused was in the balance. Among other decisions, the conference authorized the Magistrate to raise the number of chaukidars to the maximum statutory number, especially in those villages in which serious crime had occurred.<sup>126</sup> It also reiterated government's earlier policy of liberally rewarding chaukidars for rendering material assistance to the police in the detection of crime. The question of making the patrol boats more effective and of supplying boats to the police were also referred to and it was decided that the Inspector-General of Police would be requested to reconsider the whole question.<sup>127</sup> It was also decided to formally thank the zamindars who would render assistance to the police by special letters signed by the Magistrate of the district and in the more conspicuous cases by the Commissioner of the Division himself. It was further decided that a circular notice to the zamindars and their principal servants would be prepared in vernacular informing them that the lawlessness prevailing in the district was receiving the serious attention of the government and calling on them to give the magistrates and the police every assistance possible to facilitate the detection of crime and the conviction of offenders (See Appendix III). They would be warned that, unless such assistance was received, it might then become necessary to adopt further measures of an exceptional and very stringent character for the suppression of crime. The Government of Bengal would also approach the Government of India in the matter of amendment of section 110 of the Criminal Procedure Code with a view to restoring the power of the magistracy of dealing preventively with "dangerous characters" and "village ruffians" known and recognised as such by the neighbours.<sup>128</sup> If all these measures failed, the government made it clear, a special commission would be appointed to deal finally with the offenders on the spot while the evidence was fresh.<sup>129</sup> It would also consider enacting provisions of the Burma Village Act which made the community responsible for undetected crimes and for failure to assist the police in its detection and suppression.<sup>130</sup>



The additional measures adopted at the conference were immediately acted upon. All the licensed guns in the district and those in the hands of licensed vendors were taken charge of by the authorities.<sup>131</sup> Ammunition amounting to 10 lbs. of gunpowder were received from license holders and 690½ lbs. of gunpowder and 3,38,980 percussion caps from vendors.<sup>132</sup> Shops for sale of guns, ammunition and military stores licensed under the Explosives Act, and also shops licensed for repair of guns, and c, were closed down.<sup>133</sup> These measures added to the general effect, and helped to resuscitate a wholesome fear of the law. "Hitherto much has been said about drastic measures being adopted by Government, but the people have evidently not believed any such measures would be taken. The disarming of the district has shown the people that government is determined to protect life, and that they are beginning to realize that they cannot take the law into their own hands with impunity.<sup>134</sup> Along with disarmament, a hunt for unlicensed guns, and a vigorous action against bad characters under the preventive sections of the law began to be instituted. In their drive against anti-social elements, the police now received the co-operation of all classes of people. "Hitherto the police have found it most difficult to get information, but now the people are coming willingly".<sup>135</sup> Zamindars and their principal servants realizing their personal responsibility in the matter also came forward in large numbers to help in stamping out crimes. Besides the staff of the Nawab Ahsanullah Khan Bahadur and of Syed Moazzem Hussain Khan Bahadur who had all along been furnishing important clues regarding bad characters; the Manager of Ulania zamindari and the Tehsildar of Mr. Brown, among others, now provided material help to the government.<sup>136</sup> Chaukidars under the spur of monetary rewards also started reporting crimes and furnishing clues. In comparison with Rs. 495 in 1894, chaukidars had received Rs. 3,104 as cash reward in 1896, and in 1897 the sum expended was Rs. 5,731.<sup>137</sup> As a result of all these factors and the increased efficiency of the police force (eight Inspectors were now employed in the district. More boats were also sanctioned under the three heads "Patrol boats", "Boats of Investigating Officers" and "Process serving boats for Constables"), the district was cleared off unlicensed arms and ammunition leading to seizures and prosecutions in many cases under the Arms Act.<sup>138</sup> In one case, Inspector Kali Kishor Chaudhury found no less than 29 guns in one man's house.<sup>139</sup> In another case, a large quantity of materials for repairing and manufacturing guns were found.<sup>140</sup> Besides actual prosecutions, guns and ammunition or both were detected in a number of cases under circumstances which were considered suspicious and hence did not justify the institution of cases.<sup>141</sup> Persons possessing unlicensed guns and ammunition in many cases also threw their possessions into rivers and *khals* or buried or hid them in the jungle.<sup>142</sup> Besides, the police was also able to prosecute successfully a large



number of men for bad livelihood. Thus in 1896 alone, more notorious characters were prosecuted than in the four preceding years taken together ( see Table 12 ). Among those convicted in 1896, 31 men were known to be professional assassins and out of whom 8 were proved to have been concerned in different murder cases, though these cases could not be proved in Court against them.<sup>143</sup> One Mahim Khan who employed professional assassins in a gun-shot murder at Dumki was also successfully convicted and sentenced to transportation. "This is the only conviction of its kind ; the man took no part in actual assassination".<sup>144</sup> Next year ( in 1897 ), out of the 331 persons convicted for bad livelihood, 23 were known, or strongly suspected, to be professional assassins.<sup>145</sup> Judicial results in murder cases also showed a marked improvement. Not only trials became speedier and conviction rates higher ( see Table 10 ) but also the exemplary punishments meted out to murderers had a deterrent effect on this class of crime. In 1896, eight persons were hanged for murder ; in 1898 only one person was hanged ; in 1899 seven persons ; in 1900 eleven persons ; in 1901 five persons ; in 1902 thirteen ; and in 1903 fifteen persons.<sup>146</sup>

The results were all that could be expected. Gun-shot murders which were being committed in this district with impunity decreased dramatically. During the seven years period from 1897 to 1903, only 10 gun-shot murders were committed, mostly by importing guns from outside the district.<sup>147</sup> This was quite in contrast with 16 gun-shot murders in 1894, 22 in 1895 and 15 in 1896 ( see Table 5 ). With the decrease in gun-shot murders, other murders had also fallen. "Probably the connection...between the two classes was that the impunity with which the assassins used the guns encouraged others to hope they would also escape".<sup>148</sup> Once gun-shot murders were checked and thoroughly dealt with, *dao* murders also lessened. Nor did the assassins determined to commit murder taken up other weapons instead of guns. "The assassin is often far too cowardly to kill his man at close quarters. If he cannot get a gun, he refuses the job".<sup>149</sup>

It was also argued that the people deprived of their guns would not be able to protect their crops from the ravages of wild animals.<sup>150</sup> This difficulty had been met by giving out police curbines to 148 panchayets ( village headmen ) of good character.<sup>151</sup> Their return show that during 1897, for example, 886 wild animals were killed with government guns compared to 233 in 1896. In addition, another 172 wild animals were killed in 1897 in traps or with weapons other than the gun.<sup>152</sup> "From many places complaints were received that pigs were damaging the crops. Several of the places I visited, and saw little or no damage", wrote the district Superintendent of Police in his report on murder for the year 1897.<sup>153</sup> However, it appears



that there had been a "small increase" in the number of person reported to have been killed by wild animals towards the beginning of the twentieth century. This increase had been explained to better reporting and to woodcutters going further into the Sundarbans.<sup>154</sup>

It was also found that the measures had a wholesome effect on other classes of crime as well. Riots, for example, had decreased in the district from an average of 123.6 in 1892-96 to 107 in 1897-99.<sup>155</sup> The number of true cases of dacoity in which final forms were submitted had also decreased from an average of 12 in 1894-95 to an average of 6 in 1896-97 and to 3 in 1898-99.<sup>156</sup>

It now remains for us to see what the reaction of the people of the district was to this drastic measure of disarmament. It appears from the available papers that the people were generally opposed to such measure mainly on two grounds. In the first place, disarmament implied curtailment of the privileges enjoyed by the subjects. In other words, it was a sense of humiliation on the part of Bakarganj people that they were deprived of the use of guns when the people of other districts were permitted to hold them. This humiliation was keenly felt by the upper classes. A talukdar, who happened to be a Deputy Magistrate also, said, "Do not give guns to *haoladars* (i. e., to subordinate tenure holders), but allow them to the most respectable landholders"<sup>157</sup>. In their petition to the Lieutenant-Governor, the People's Association of Barisal also resented the wholesale disarmament of the district "which have deprived even the foremost gentlemen of Backergunge of the use of guns".<sup>158</sup> In the second place, guns were considered by the respectable and well-to do persons to protect their property at home and on journey from the ravages of dacoits and ruffians. Paulo Gomes and other descendents of the Portuguese settlers in the village of Shibpur who supported themselves by letting their services to the zaminders and other villagers for killing pigs, tigers, and c. also remonstrated against the withdrawal of all licenses for guns.<sup>159</sup> In order to express their resentment, against wholesale disarmament, a public meeting of the residents of the district was, therefore, held on September 24, 1896 under the presidentship of Babu Upendra Nath Sen.<sup>160</sup> They also presented a memorial to the government for the withdrawal of all order for the cancellation of gun licenses in the district of Backarganj. But the government found no valid reason to do so as the memorial contained "no arguments that were not fully considered by Government before".<sup>161</sup> The petition presented by the People's Association of Barisal to the Lieutenant-Governor, Sir A. H. Fraser on July 15, 1904 asking for a relaxation of the rules, however, bore fruit. As crime of murder in



the district had by then considerably diminished, the government after due consultation with the local authorities decided to relax the rules initially in the case of gentlemen of position and good character who could be depended on not only to misuse the guns themselves, but also to prevent others from misusing them.<sup>162</sup> The privileges would gradually be extended to others, the government assured, if lawlessness of the kind ceased.<sup>163</sup>

### Conclusion

The epidemic of murder in the district of Bakarganj in the late nineteenth century will stand out significantly in the annals of criminal history of this region. The entire district excepting the island of Dakhin Shahbazzpur (Bhola) was the scene of this crime. Most of these murders were committed in cold blood to take revenge against old enemies or were the results of family feuds and were committed by the ignorant and hot blooded Muslim raiyats against their co-religionists using such traditional weapons as *daos* and fish spears. The use of fire-arms to murder victims at night (and the development of a class of midnight professional assassins to cater to its needs)—a novel device to get rid of an enemy also grew up fast in the district in the last decade of the century due mainly to advantages that went with it.

Various causes have been assigned for the rise in murders in the 1890's. It is often pointed out that the low moral character of a segment of population especially of the descendents of those dare-devil Muslim migrants who had earlier settled in the land of eldorado and whose blood was not yet fully tamed and were passionate and independent often reacted violently in trifling matters. But it would be unjust to lay all blames on this head only. The land in which they lived was different from the rest of Bengal—intersected by innumerable rivers and rivulets, *khals* and *bhils*. The soil was made richer by the alluvial deposit of the mighty rivers the Padma, the Brahmaputra and the Meghna. The richness of the soil and the formation of *chars* and with it the growth of a large class of intermediate tenurial system who believed in the dictum of 'Might is Right', and their frequent oppression on the raiyats for higher rents and ejectment from their holdings often compelled these independent and hardy men to take the law into their own hands. Moreover, there was hardly any record of rights on land which was required in view of the extent of sub-infeudation. The physical nature of the terrain again compelled them to live in social seclusion from their neighbours which made them dictatorial and of "lordly disposition." The secluded lives they lived, according to Reilly, accounted to a great measure of social and domestic murders so prevalent in the district. They were also far removed from the teachings and dictates of Islam and of the light of general education which could kindle in their



hearts nobler thoughts and perceptions. Furthermore, the situation was made much more complicated by the government, local and provincial. No effort was made by the local authorities to collect arms with the enactment of the Arms and Ammunitions Act, 1878. At the same time, in the 1880's efforts were made to contain riots by the strenuous working of section 137 of the Code of Criminal Procedure. The enactment of the Arms Act and the enforcement of the Criminal Procedure Code had no doubt some effect in the 1880's but soon it was found out that punishments for breaches of the Arms Act was only nominal and that murders with guns at night was easier than killing real enemies in riots. Moreover midnight murders were hardly detected, and even if detected sufficient evidence was not forthcoming for their successful conviction. The government's credibility thus suffered a terrible blow at the hands of midnight assassins. The judicial impunity in gun shot murders besides encouraging others to do the same, stimulated *dao* murders also. The government's neglect of the police administration during this time was equally blame-worthy. It dangerously reduced its operational forces (in ratio to the population of the district) which made it an ineffective organization for the maintenance of law and order. Many of the officers posted at the district got fat and lazy and were in league with landlords and other influential men of the locality to the detriment of civil and criminal justice.

The seriousness of the situation was all too plain. Nor was the local government unaware of it. But the administration, being in a state of relative calm for nearly a decade, could not come up with any acceptable explanation of the rise of this crime and the measures that they took till early 1896 like restricting the grant of gun licenses, conditional amnesty, utilization of the services of the chaukidars and panchayets, appointment of special Inspectors and Sub-Inspectors of Police, increase in the Magisterial staff, failed to check the spate of murder. Even the provincial government during this time was at its wits end. "It is indeed most difficult to know what to suggest, and, I feel that I can give no more help than the Commissioner, Magistrate, and Inspector-General of Police have been able to do," wrote the Chief Secretary to the Government, Mr. H. J. S. Cotton, on September 17, 1895.<sup>164</sup> Having failed to quell the situation, the government took the most extraordinary step of disarming the district with effect from September, 1896, and also at the same time took some measures like the appointment of additional government pleaders, policy of liberally rewarding village police, issuance of a Circular Notice to zamindars and their principal servants. These drastic steps together with stiff police and judicial action finally significantly brought down the number of murders in the district and with it some such crimes as riots and dacoity. The government, at long last, being in control of the situation decided partially to relax the rules regarding the grant of licenses for guns from



September, 1904. The restoration of law and order in the district once more indicated the truth of the saying that opportunities for ill make ill-deeds done; and that firmness in dealing with crimes and criminals pays ample dividends.

### Notes and References

1. Government of Bengal [henceforth GOB] : Proceedings of the Judicial Department (Police) [henceforth PJD (Police)], Nos. 27-28, December, 1896, p. 4, N.D. Beatson-Bell, the officiating Magistrate of the district of Bakarganj had written a very interesting account of crime of his district in August, 1896. The Commissioner and the Lieutenant-Governor read the same with much interest but could not agree with most that was written. Bell's account is contained in *ibid*, pp. 3-12.
2. *Ibid*.
3. See Wintle's letter dated January 7, 1802 in H. Beveridge, *The District of Bakarganj; its History and Statistics* (reprinted by the Bakarganj District Council, January 1970), p. 402.
4. Beveridge, *op. cit.*, p. 190.
5. GOB: PJD (Police), Nos. 27-28, December, 1896, p. 9; and *ibid*, Notes and Orders Nos. 46-47, p. 3, May, 1896.
6. *Ibid*, Nos. 27-28, December, 1896, p. 10.
7. In fact, murder in the 1880's in Bakarganj was perhaps lower than any other decade in the nineteenth century. In 1808, there were 25 murders, and 6 dacoities with murder; in 1819 there were 15 murders and 1 dacoity with murder; in 1850, 15 murders and 5 dacoities with murder and one affray with homicide. In 1858, there were 32 cases of murder reported and in 1872, the number was 26 (J.C. Jack, *Bengal District Gazetteers, Bakarganj* (Calcutta, 1918), pp. 24-25). The number of murders in 1877 and 1878 were 59 and 48 respectively (GOB : PJD (Police), Nos. 27-28, December, 1896, p. 6. The figure of murder in the years 1880, 1881 and 1882 came down to 17, 19 and 14 (GOB: PJD (Police), Nos. 50-51, April, 1896, p. 2.
8. The population of Bakarganj was 2, 133, 362 in 1891 which was 5.46 per cent of Bengal's (British territory) total population of 39, 097, 023. The population of the district although increased to 2, 269, 779 in 1901, its percentage to Bengal's population (Bengal's total population being 42, 149, 154), declined to 5.39, *Census of India, 1941, Vol. IV, Bengal Tables* (by R. A. Dutch) (Simla, 1942), pp. 6 and 10.
9. GOB: PJD (Police), No. 46, p. 2, April, 1896.
10. *Ibid*, Nos. 39-40, p. 2, April, 1896.
11. *Ibid*, Notes and Orders to Nos. 39-49, p. 4, April, 1896.
12. *Ibid*.
13. *Ibid*.
14. For details of all true cases of murder ending in loss of life from January to 24 December, 1896 see, GOB: PJD (Police). Nos. 13-14, p. 4, Statement D, May, 1897.
15. J. C. Jack, *op. cit.*, p. 72; and Md. Habibur Rashid (ed.) *Bangladesh District Gazetteers, Bakarganj* (Dacca, 1980), pp. 57, 143.



16. For population figure of the subdivisions, see *Census of India, 1901. Vol. VI B, The Lower Provinces of Bengal and their Feudatories, Part III, Provincial Tables* by (E. A. Gait) (Calcutta, 1902), p. 8.
17. *Ibid.*
18. Cited in J. C. Jack, *op. cit.*, p. 39; Md. Habibur Rashid (ed.), *op. cit.*, p. 76.
19. For sex-ratio of these thanas, see, *Census of India, 1901, Vol. VI B, The Lower Provinces of Bengal and their Feudatories, Part III, Provincial Tables*, p. 8. There was also a great disproportion of sexes in Bhola subdivision, but it seems to have been an exceptional area so far as crime of murder was concerned.
20. J.C. Jack, *op. cit.*, p. 72; Md. Habibur Rashid (ed.), *op. cit.*, p. 143.
21. See letter of Mr. Wintle, dt. the 7th January, 1802 in H. Beveridge, *op. cit.*, p. 406
22. Quoted by Beatson-Bell in his account of crime in Backarganj in GOB: PJD (Police) Nos. 27-28, p. 8, December, 1896.
23. GOB: PJD (Police), Nos. 44-45, April, 1896.
24. According to Beatson-Bell, the first gun-shot assassination in Bakarganj by night occurred on January 5, 1888. See, GOB: PJD (Police), Nos. 47-48, p. 8, December, 1896.
25. See, Extract from the Magistrate of Bakarganj, letter No. 1160J, dated 3rd June, 1833, to the address of the Commissioner of Dacca Division in GOB: PJD (Police) Nos. 47-48, p. 2, April, 1896.
26. See, Letter No. 543J., dated Dacca, the 28th March, 1896 from H. Luttmann-Johnson, Commissioner of Dacca Division to the Chief Secretary, GOB, in GOB: PJD ((Police) Nos. 1896.
27. *Ibid.*
28. *Ibid.*
29. See, GOB: PJD (Police), Notes and Orders to Nos. 39-49, p. 7, April 1896.
30. *Ibid.*
31. Letter No. 2323J., dated Barisal, the 30th July 1895 from H. LeMesurier, officiating Magistrate of Bakarganj to the Commissioner of the Dhaka Division in GOB : PJD (Police), Nos. 39-40, p. 1, April, 1896.
32. *APR*, 1895, p. 61.
33. GOB : PJD (Police), Nos. 39-40, p. 1, April, 1896.
34. *Ibid.*, pp. 1-2.
35. See, Extract from letter No. 595, dated the 29th October 1895, from the Sessions Judge of Bakarganj to the Magistrate of Bakarganj in GOB : PJD (Police), Nos. 46-47, p. 2, May, 1896. These guns were mainly of two kinds the "marriage gun" and the "shikar gun". The "marriage gun", usually a barrel only, was fixed in the ground or tied to a tree before it is fired. As this gun was not suitable for taking good aim with, it was unlikely to have been used by assassins. On the other hand the "shikar gun" was usually the Monghyr single barrel muzzle loading gun, or a gun of that pattern. These guns were hard hitting, and carried correctly for a long range the barrels being very long. "It has been proved that these guns are used for pistol murders and riots." In a few instances, pistols have been used, but the country-made pistol was of little use except for making a noise, and in one instance where it was known to have used against human beings, it had proved harmless, the shot with which the pistol was loaded did not even penetrate the clothes of the man



- fired at. However, loaded with ball, these pistols could be more formidable weapons, but the difficulty of making a good shot with one of them made it an undesirable weapon for an assassin to use. See, letter No. 423, dated Barisal, the 16th March, 1896 from E. C. Ryland, District Superintendent of Police, Bakarganj, to the Commissioner of the Dhaka Division (through Magistrate) in GOB: PJD (Police), Nos. 54-55, p. 3, April, 1896.
36. Letter No. 1166, dated Bakarganj, the 14th July, 1896, from E. C. Ryland to the Commissioner of the Dhaka Division in GOB : PJD (Police), Nos. 27-28, p. 13, December 1896. Nobody knew about the probable number of unlicensed guns in the district. Mr. LeMesurier, the officiating Magistrate of Bakarganj, estimated that their number might amount to as many as 5,000. On the other hand, Mr. Luttmann-Johnson, the Commissioner of the Dhaka Division, was of the opinion that there were in the district 5,000 guns in total, licensed or unlicensed or one gun to 450 persons. See, GOB: PJD (Police), Nos. 19-20, p. 1, July, 1895; and Ibid, No. 21, p. 2, July, 1895.
  37. See, E. C. Ryland's letter dated the 14th July, 1896 in GOB : PJD (Police), Nos. 27-28, p. 13, December, 1896.
  38. See, Bell's account of crime in GOB: PJD (Police), Nos. 27-28, p. 8, December, 1896.
  39. Letter No. 513J., dated Barisal, the 3rd April 1898 from N. D. Beatson-Bell, officiating Magistrate of Bakarganj to the Commissioner of the Dacca Division in GOB: PJD (Police), Nos. 69-71, p. 1, June, 1898.
  40. APR, 1894, p. 62.
  41. GOB : PJD (Police), Nos. 39-40, p. 3, April, 1896.
  42. GOB : PJD (Police), Notes and Orders to Nos. 39-49, p. 6, April, 1896.
  43. Letter No. 402J., dated Barisal, the 11th March, 1897 from N.D. Beatson-Bell, officiating Magistrate of Bakarganj to the Commissioner of the Dacca Division in GOB : PJD (Police), Nos. 19-21, p. 1, May, 1897.
  44. See, Report on Murders for the year 1897, p. 2 in GOB : PJD (Police), Nos. 69-71, June 1898.
  45. In one case, Karimuddin murdered his old father with a bludgeon and hurried to the Police Station and lodged a charge of murder against the people who had earlier abused him. In another instance, Jabar Ulla, in revenge for his thrashing, slipped away in the night-time and hid himself for months, having previously arranged his wife and friends that they should say he was dead, and accuse the enemies of having murdered him. See, H. Beveridge, *op. cit.*, pp. 431-36.
  46. J.C. Jack, *op. cit.*, p. 40.
  47. Mr. Fasson, the then Magistrate of the district, on the increase of murder in 1885 in GOB : PJD (Police) Nos. 50-51, April, 1896.
  48. See, Table of cases of Murder as per High Court Return from 1883 to 1895 in Bell's account of crime in GOB : PJD (Police), Nos. 27-28, p. 5, December, 1896. J.C. Jack seems to have erred in his analysis of crimes of murder when he wrote that "hasty and violent ebullition of temper, leading to sudden murder" were "so common in the district". Jack, *op. cit.*, pp. 39-40.
  49. Total Muslim population was 1,462,712 and Hindus 680,381 in 1891. See, *Census of India, 1901, Vol. VIB, The Lower Provinces of Bengal, and their Feudatories, Part III, Provincial Tables*, pp. 34-35.



50. H.C. Sutherland, *Report on the History and Statistics of the District of Bakarganj* (Calcutta, 1868), p. 138.
51. H. Beveridge, *op. cit.*, pp. 228-29.
52. W.W. Hunter, *A Statistical Account of Bengal, Vol. V, Districts of Dacca, Bakarganj, Faridpur and Maimansinh* (Delhi, reprinted, 1973), pp. 231-32.
53. At the census of 1911, the percentage of literates amongst Hindus was 16 (males 29 per cent and females 3 per cent) and amongst Muslims 5 (males 10 per cent and females 2 per cent). See, Jack, *op. cit.*, p. 115.
54. Maulana Keramat Ali, a learned religious leader of Jaunpur and disciple of Syed Ahmed Shahid of Bereli (the founder of Indian Wahabism) visited Bakarganj and preached sound morality amongst the degenerate Muslims. On the other hand, the Faraizi movement, an Islamic puritanic movement born with a view to self correction of the Muslim society was started by Haji Shariat Ullah (1741-1840) and continued under his able son Dudu Miah (1819-1862). Both the sects had considerable following but the sermons of the leaders seemed to have had little impact on the ignorant and illiterate masses. The founders of the Faraizi movement hailed from Madaripur subdivision, till 1873 a part of Bakarganj district.
55. Bell's account of crime in GOB : PJD (Police), Nos. 27-28, p. 4, December, 1896.
56. *Ibid.*
57. Wintle's letter dated the 7th January, 1802 in H. Beveridge, *op. cit.*, p. 406.
58. Cited in J.C. Jack, *op. cit.*, p. 39.
59. W.W. Hunter, *op. cit.*, pp. 231-32.
60. Jack, *op. cit.*, p. 38.
61. *APR*, 1894, p. 62.
62. Cited in J.C. Jack, *op. cit.*, pp. 39-43.
63. Lord Ripon in the Council of the Governor-General of India in March, 1883, cited in R.F. Rampini, *The Bengal Tenancy Act; being Act VIII of 1885* (Sixth Edition, Calcutta, 1918), Introduction, p. 1.
64. The question of giving full statutory recognition to the right to transfer occupancy rights was much discussed before the passing of the Bengal Tenancy Act in 1885 but was ultimately rejected as the Select Committee, the Lieutenant-Governor of Bengal and the President of the Supreme Council (Lord Ripon) opposed it. Lutful Kabir, *The Rights and Liabilities of the Raiyat under the Bengal Tenancy Act, and the 1885, State Acquisition and Tenancy Act, 1950 (with Amendments)* (Dacca, 1972), pp. 124-28. Occupancy raiyats were given equal rights of transferability only in 1928 by amending the Bengal Tenancy Act, 1885. Previously, raiyats at fixed rates and permanent tenure holders only had the right to transfer their holdings by sale, gift mortgage or sub-lease.
65. S.N. Bose, *The Bengal Tenancy Act* (Calcutta, 1933), pp. 150-51.
66. GOB : PJD (Police), Nos. 27-28, p. 6, December, 1896.
67. The figures given below show how vigorously section 107 Cr. P.C. had been worked in the district :



Year	No. of cases u/s. 107 Criminal P. C. in the whole province	No. of cases u/s 107 Cr. P.C. in Bakarganj dt.	% of Col. 3 to Col. 2
1886	not available	1,328	—
1887	"	1,193	—
1888	2,156	748	22.40
1889	2,956	872	25.30
1890	2,882	1,516	30.26
1891	4,031	1,517	37.61
1892	4,020	1,119	37.74
1893	3,506	1,016	31.92
1894	3,910	—	25.98

See, GOB : PJD (Police), Notes and orders to Nos. 39-49, p. 10, April, 1896.

68. The number of riots in Bengal and that of the district of Bakarganj during the years 1887 to 1899 are given below :

Year	No. of riots in Bengal (average)	No. of riots in Bakarganj (average)	% of Col. 3 to Col. 2
1887-91	2,219	112.2	5.06
1892-96	2,268	123.6	5.45
1897-99	2,589	107.0	4.13

See, *APR*, 1895, pp. xxxii-xxxiii; *Ibid*, 1897, p. 31; *Ibid*, 1899, pp. xlii-xliii; GOB : PJD (Police), Notes and Orders to Nos. 39-49, p. 9, April, 1896. It would seem from the above statistics that riots in Bakarganj during this time was below the proportion of population that the district represented (5.46 per cent in 1891). Moreover, according to Beatson-Bell, not only the number but also the intensity of riots had also diminished. "Apart altogether from statistics, everybody in the district readily admits that rioting is being gradually suppressed by the British Government. Such riots as now find place in our statistics would a few years ago have been considered unworthy of notice. The battles of the time of Gagan Miah, when the District Magistrate and the rioters fought hand to hand, are now a thing of the past." GOB : PJD (police), Nos. 27-28, p. 7, December, 1896.

69. GOB : PJD (Police), Notes and Orders to Nos. 39-49, p. 10, April, 1896.

70. *Ibid*, pp. 3-4.

71. *Ibid*, p. 7.

72. Compiled from GOB : PJD (Police), Nos. 14-15, p. 5, September, 1896; *Ibid*, Nos. 27-28, p. 8, December, 1896; *Ibid*, Notes and Orders to No. 20, July, 1904.

73. GOB : PJD (Police), No. 46, p. 2, April, 1896.

74. *Ibid*, Notes and Orders to Nos. 39-49, p. 4, April, 1896.

75. GOB : PJD (Police), Nos. 27-28, p. 8, December, 1896.

76. *Ibid*, Nos. 50-51, p. 2, April, 1896.

77. *Ibid*, p. 5.

78. *Ibid*.



79. Ibid, Nos. 19-20, p. 2, July, 1895.
80. Ibid, p. 1.
81. Ibid, pp. 3-4.
82. Ibid. pp. 1-2.
83. The punishments for breaches of the Arms Act in the North-Western Provinces (taken from the return of June, 1895) were as follows : for unlicensed possession of a gun, sentences ranged from 6 months to 3 years rigorous imprisonment; for unlicensed possession of a sword, sentences ranged from 6 months' rigorous imprisonment to 2 years; and for unlicensed possession of a pistol, 1 year's to 2 years rigorous imprisonment. See, GOB : PJD (Police), Nos. 54-55, pp. 1-2, April, 1896.
84. Ibid. p. 2.
85. GOB : PJD (Police), Nos. 27-28, p. 11, December, 1896.
86. Ibid.
87. Ibid. Notes and Orders to Nos. 39-49, p. 8, April, 1896.
88. Ibid. Nos. 27-28, p. 14, December, 1896.
89. Ibid.
90. Ibid. Notes and Orders to Nos. 39-49, p. 8, April, 1896.
91. J. C. Jack's observation that raiyats resorted to lynch law in the murder of *naibs* and *mridddhas* and that no serious attempt was made to cope with rioting appears to be a grave error of judgement (J. C. Jack, *op. cit.*, p. 38). However, it was quite possible that raiyats sometimes resorted to lynch law but that was against all grades of oppressive tenure holders, domestic disturbers of peace and against private enemies in general.
92. GOB : PJD (Police), Nos. 13-14, p. 3, Statement B, May, 1897.
93. Ibid.
94. Ibid., and Table 11 of this article.
95. GOB : PJD (Police), Notes and Orders to Nos. 39-49, p. 6, April 1896.
96. Ibid, Nos. 27-28, p. 11, December, 1896.
97. Mr. Gupta, the Sessions Judge, and the Magistrate thought that many of these murders were cases of lynch law. Ibid. p. 1. December, 1896. If this was so, it was clear that the people had lost confidence in the administration of justice.
98. The Commissioner of Dacca Division, Mr. Luttmann-Johnson went to the extent of saying these sentences "monstrous and unjustifiable...as wholly incommensurate to the offence and from the point of administration inept in the last degree". See, GOB: PJD (Police), Nos. 19-20, pp. 3-4, July, 1895.
99. Ibid. No. 21, pp. 1-2, July, 1895.
100. Ibid, Nos. 42-43, 49, April, 1896; and Ibid, Notes and Orders to Nos. 39-49, pp. 10-11, April, 1896.
101. Ibid.
102. Letter No. 190G; dated Bhola, the 30th March, 1896 in Ibid. Nos. 59-60, April, 1896; and Ibid. Notes and Orders to Nos. 50-60, p. 4.
103. See, extract of paragraph 3 from the Magistrate of Bakarganj, letter No. 21, p. 2, 1160J; dated 3rd June 1893, to the address of the Commissioner of the Dacca Division in Ibid, Nos. 47-48, p. 2, April, 1896.
104. Ibid, No. 21. p. 2, July, 1895.



105. Ibid. Nos. 44-45, p. 3, April, 1896.
106. See, Appendix I of this article.
107. GOB : PJD (Police), No. 46, p. 2, April, 1896; Ibid. Notes and Orders to Nos. 39-49, p. 3, April, 1896.
108. Ibid. No. 46, p. 2, April, 1896.
109. Ibid. No. 56, pp. 1-2, 1816.
110. Ibid. Notes and Orders to Nos. 39-49, p. 13, April, 1896.
111. Ibid.
112. Ibid.
113. Ibid. No. 46, p. 2, April, 1896.
114. Besides the measures adopted, the Inspector-General of Police had also suggested a section similar in operation to Section 15A, Act V of 1861, but applicable to cases of murder facilitated or in which detection had been thwarted by the attitude of the locality, be added to Act V of 1861. But the objection to this suggestion was that it required legislation, and Act V of 1861 was amended only that year (1895). It was also suggested by him that section 110 Cr. P. C. be also amended to include "dangerous persons" like murderers (which was initially there but dropped later on while amending the Code of Criminal Procedure in 1882) as experience had shown that it was difficult under the existing laws to prosecute successfully the suspected assassins. "It is necessary to show", wrote also the Commissioner of the Dacca Division, "that these persons, in order to committing of extortion, habitually put persons in fear of injury. This is not always easy to prove. The condition of Backergunge district in the matter of crime goes to show that the omission of 'dangerous characters' from the classes liable to give security under this section was a mistake". A further suggestion of the Inspector-General related to extension of land survey. Although this would not remove all the existing difficulties in connection with land, "it would undoubtedly do much to settle disputes and diminish agrarian crime". The Superintendent of Police of Bakarganj, Mr. Ryland, on the other hand, proposed the cutting down of the barrels of every gun, in the district. The barrel to be left on the gun, according to him, should be long enough to contain a very full charge of powder and a small charge of shot or vice versa. Such a weapon would make quite as much, if not more, row when discharged, and would at the same time be harmless, as the shot on the slugs would scatter and go with no force, and it would be almost impossible to send a bullet straight from it for any distance. The suggestion was, however, dismissed by the Inspector-General as "impracticable...and, if practicable, would not be a measure of much utility...". See, *APR, 1894*, 1894, p. 62; *Ibid*, 1895, pp. 61-62; GOB: PJD (Police), Notes and Orders to Nos. 39-49, pp. 10, 1214, April, 1886; *Ibid*, Nos. 47-48, pp. 1-2, April 1886 ; *Ibid*, Nos. 54-55, pp. 1-3, April, 1896; *Ibid*, Nos. 27-28, p. 2, December, 1886; *Ibid*, Notes and Orders to No. 20, p. 2, July, 1904.
115. GOB:PJD (Police), Nos. 1921, p. 5, Statement D, May, 1897.
116. *Ibid*, Nos. 29-30, p. 2, December, 1896.
117. A list of professional assassins, 49 in number was compiled by the Special Inspectors, together with details of the cases in which they were employed or suspected. Their names were not, however, printed as "against whom there can only be suspicion and conjecture, and it is not right that these lists should be



- included in the printed correspondence". Ibid. Nos. 27-28, p. 19, December, 1896; Ibid. Notes and Orders to Nos. 27-44, p. 3, December, 1896.
118. *Ibid.* Nos. 27-28, p. 1, December, 1896.
  119. *Ibid.* pp. 1-2, December, 1896.
  120. *Ibid.* p. 2.
  121. See, memorandum of the meeting in Ibid, Nos. 29-30, p. 4, December, 1896.
  122. *Ibid.*
  123. The question of disarming the district in the present crisis was first mooted by Mr. Savage, when he was the Magistrate of Bakarganj in 1893. Mr. LeMesurier who succeeded Mr. Savage as Magistrate of the district in 1894, and Mr. Beatson-Bell, who succeeded Mr. LeMesurier in 1896 as well as the Inspector-General of Police, Mr. E.R. Henry were strongly in favour of disarmament. But Mr. Luttmann-Johnson, the Commissioner of the Dacca Division vehemently opposed the idea as this would open out an unparalleled opportunity for police oppression. Ibid. Notes and Orders to No. 20, p. 2, July 1904; Ibid, Notes and Orders to Nos. 39-49, pp. 10, 13-14, April, 1896; Ibid, Nos. 39-40, p. 1, April, 1896; Ibid. Nos. 47-48, p. 1, April, 1896.
  124. *ibid.* Nos. 29-30, p. 2, December, 1896.
  125. *ibid.* op. cit, p. 3.
  126. *Ibid.*
  127. *Ibid.*
  128. *Ibid.* p. 4.
  129. *Ibid.*
  130. *Ibid.*
  131. *ibid.* Nos. 11-12, p. 1, May, 1897.
  132. *Ibid.*
  133. *Ibid.* Nos. 35-36, p. 2, December, 1896.
  134. *Ibid.* Nos. 19-21, p. 5, May, 1897.
  135. *Ibid.*
  136. *Ibid.* pp. 1-2, May, 1897; Ibid. Nos. 35-36, p. 2, December, 1896.
  137. *Ibid.* Nos. 19-21, p. 2, May, 1897; Ibid, Nos. 69-71, p. 1, June, 1898.
  138. The number of unlicensed guns and cases of ammunition seized was 125, 147 and 80 in the years 1896, 1897 and 1898 respectively. On the other hand, the number of prosecutions were 100, 84 and 53. See, Ibid. Nos. 26-27, p. 5, Table E. The small number of seizures and prosecutions were probably because of precautionary measures taken by the people to hide or destroy their weapons and ammunition.
  139. *Ibid.* Nos. 19-21, p. 5, May, 1897.
  140. *Ibid.*
  141. *Ibid.* GOB : PJD (Police), Nos. 26-27, pp. 2,5, June, 1900.
  142. *Ibid.* Nos. 69-71, p. 5, June, 1898.
  143. *Ibid.* Nos. 19-21; p. 3, May, 1897.
  144. *Ibid.* pp. 3,6, May, 1897.
  145. *Ibid.* Nos. 69-71, p. 2, June, 1898.
  146. *Ibid.* Notes and Orders to No. 20, p. 4, July, 1904.
  147. *Ibid.* No. 20, p. 4, July, 1904. Most of the guns with which assassinations took place were imported from the neighbouring districts especially Khulna,



148. See, notes on the margin by 'H.S.' in Ibid. Nos. 69-71, p. 1, June, 1898.
149. Ibid. Nos. 69-71, p. 1, June, 1898.
150. Ibid. Nos. 47-48, p. 1, April, 1896.
151. Ibid. Nos. 69-71, p. 5, June, 1898.
152. Ibid.
153. Ibid.
154. Ibid. Notes and Orders to No. 20, p. 5, July, 1904.
155. See, footnote 68 of this article.
156. *APR*, 1895, pp. xxx-xxxi; *Ibid*, 1897, pp. xxxviii-xxxix; *Ibid*, 1899, pp. xi-xii.
157. GOB : PJD (Police), Notes and Orders to No. 20, p. 5, July, 1904.
158. See, extract from (paragraph 5) the Barisal People's Association address presented to His Honour, the Lieutenant-Governor of Bengal in Ibid. No. 20, p. 1, July, 1904.
159. Ibid. Notes and Orders to Nos. 27-44, pp. 12-13, December, 1896.
160. Ibid. Notes and Orders to Nos. 27-44, p. 11, December, 1896.
161. Ibid.
162. Ibid. Nos. 37-38, pp. 1-2, September, 1904.
163. Ibid. op. cit.
164. Ibid. Notes and Orders to Nos. 39-49, p. 11, April, 1896.



## APPENDIX I

*Orders to be conveyed to all panchayets at the next pay day.*

1. There has been, as is well known, a large increase of late in gun-shot murders. Over 20 persons have been shot at night in this district this year. In most cases the police have not been able to detect the offenders. It is believed that the murderers would generally be detected if the villagers always gave the police all the information they possessed. But the villagers and the zamindars appear to be indifferent on the subject and give the police very little assistance.

2. These murders have become so common that no person's life is safe in the mufassal : any person may be shot at night with impunity. These murders must be stopped. If in future the police are unable to find out the murderer, special measures will have to be adopted; probably one of the following :—

3. (1) The whole district might be disarmed, and then no gun being allowed in the district, there will be no protection for the crops against wild beasts.

(2) Or whenever a murder occurs, additional police might be posted, and the cost of these police would be recovered from the villagers and zamindars.

(3) Or heavy fines might be levied by Government from the villagers and zamindars of the village in which a murder occurs.

(4) Or some other special law might be passed for this district to punish the village where the murder occurs.

4. Any of those measures would unavoidably punish the innocent with the guilty. But some such measure will be necessary, unless the public do more to assist the Government in detecting the murderers.

5. It is therefore necessary for the panchayets and zamindars and villagers to help Government in this matter, without such assistance the police are unable to detect the murderers.

6. The panchayets should impress on all villagers and zamindars the importance of giving the police every possible assistance in the detection of the culprit whenever a murder occurs.

7. It is believed that most murders are committed with unlicensed guns. The panchayets should give the police every assistance in tracing out unlicensed guns.



8. In a gun-shot murder which lately occurred at Shaitabad, the police had no clue, but owing to the assistance rendered by the local zamindar and villagers, the police were able to trace the gun used and bring the murderers to justice; this shows what can be done if the public will only assist the police.

*Rules to be explained to rural policemen*

1. It is the duty of every rural policeman to give information of the existence of any unlicensed gun in his village to the thana Sub-Inspectors.

2. A reward of 50 rupees will be paid from the Chaukidari Fund by the District Magistrate to any rural policeman who produces an unlicensed gun, or gives such information as directly leads to the seizure of such a gun, provided that such gun was not kept by himself, and that he is able to explain where he got it.

3. Rural policemen must stop any person found carrying a gun; whether licensed or unlicensed, out of doors after dark, that is, between sunset and sunrise.

4. The rural policemen shall take the person so arrested to a member of the panchayet. The panchayet shall take down in writing the explanation of the arrested person, who shall then be allowed to go, the gun being detained if unlicensed.

*The 16th December 1895.*

J. E. PHILLIMORE.

*The 16th January 1896.*

H. LEMESURIER.

*Source : GOB : PJD (Police), Nos. 50-51, Appendix D, April 1896.*

## APPENDIX II

### NOTIFICATION No. 4772J.

*The 22nd August 1896*—Whereas numerous murders by gunshot have been committed the district of Backergunge, and it is deemed necessary for the suppression of such crime at the possession and use of fire-arms in the district should not be permitted, the Lieutenant-Governor, under the authority vested in him by section 18 of the Indian Arms Act, 78 hereby notifies that all licenses now held in the district under sections 5, 13, add 14 of Act, that is to say, for the manufacture, conversion of fire-arms and the sale ammunition, for going armed with fire-arms and for having in possession or under control arms and ammunition, are cancelled with effect from the 1st September 1896. The Magistrate of the district will allow to the holders of licenses such time as may be necessary for the deposit of their arms with the officer in charge of the nearest public-station,



Arrangements will be made whereby some leading members of chaukidari panchayets will be supplied with guns for use where they may be needed for protection against wild animals.

C. W. BOLTON,

*Offg. Chief. Secy. to the Govt. of Bengal.*

*Source : GOB : PJD (Police), No. 31. December 1896.*

### APPENDIX III

Circular Notice to the Zamindars and their principal servants regarding murders in the Bakarganj district.

To.....

Zamindar of.....

of the Zamindar of.....

The numerous murders by gunshot or otherwise which have been committed in Backergunge during the last few years have received the serious attention of the Government. The district is in a state of great lawlessness, and hitherto the Police and the Magistrates have had practically no success in their efforts to suppress these deplorable crimes. One chief reason for this result is the general failure of the people to give to the authorities the assistance which they should do, and which the Government has the right to expect from them. Without such assistance the murderers have, in the great majority of cases, escaped detection, or, if detected, have had to be released by the Police, or to be set free by the Magistrates or the Judge for want of the requisite evidence. The state of terror which prevails in the district, in consequence of these murders and of the immunity of the murderers, cannot be permitted to continue. The Lieutenant-Governor has already deemed it necessary to withdraw all licenses for the possession and use of fire-arms throughout the district, and it is hoped that this will have a good effect, but it is also essential that the landholders and their servants and respectable people of all classes should co-operate zealously with the Police and the Magistrate for the purpose of bringing the offenders to justice. The law imposes upon the public generally and the landholders, chaukidars, and others in particular, the obligation to assist the Magistrates and Police, and to give information of certain offences as provided in Chapter IV of the Code of Criminal Procedure, a copy of which is annexed



[ not printed ] ; and penalties are provided in sections 154, 176, and 202 of the Indian Penal Code, which are also produced [ not printed ], for omitting to give notice of, or to stop impending riots, for omission to give information to a public servant by a person bound to give such information, and for similar omission to give information of an offence which has been committed. Your attention is drawn to all these provisions of the law, which will be rigorously enforced in future.

The Government therefore hereby calls on you to give to these authorities every assistance possible for the detection and punishment of such offenders, and to instruct your subordinates and all respectable persons in your jurisdiction to give similar assistance. Unless this assistance is received from all, it may be necessary for the suppression of the crimes of violence which have given so evil a name to the district, to take other steps more stringent than those already adopted, and the people would suffer much inconvenience from the measures thus forced on the Government.

C. W. BOLTON

*Offg. Chief Secretary of the Govt. of Bengal*

*Source : GOB : PJD (Police), No. 32-33, December, 1896.*